UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF RHODE ISLAND

IN RE: ERNESTINA GARCIA No.: 1:09-bk-10890
Debtor

OBJECTION TO MOTION FOR RELIEF FROM STAY

Debtor, by her Attorney, objects to the Motion for Relief from Stay as follows:

1. The Debtor has made two post petition payments in the amount of $600.00 each (copies of these checks are attached).

2. The Movant has no standing to bring this action as a proper assignment of mortgage has not been made to the purported creditor for the following reasons:

   a. The assignment dated December 17, 2007 was not signed by an officer of Mortgage Electronic Registrations Systems, Inc.

   b. Any purported corporate resolution predates the date of the existence of this Mortgage.

   c. Fremont Investment and Loan is the only party with standing to assign the promissory note. There is no valid assignment of the Note on record from Fremont Investment and Loan to any entity.

3. The Debtor has filed a Motion to Modify within her Plan. The Memorandum of Law previously submitted indicated that the monthly amount stated by the purported creditor is incorrect.

WHEREFORE, Debtor objects to the Motion for Relief from Stay.

June 6, 2009

ERNESTINA GARCIA
By her Attorney

/s/ John B. Ennis
JOHN B. ENNIS, ESQ. #2135
1200 Reservoir Avenue
Cranston, Rhode Island 02920
(401) 943-9230

CERTIFICATION

I hereby certify that I mailed a copy of the above to Objection to Motion for Relief from Stay to the following electronically or by regular mail, postage prepaid on this 6th day of June, 2009.

John Boyajian, Esq.
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182 Waterman Street
Providence, RI 02906

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/s/ John B. Ennis, Esq.